

REMARKS

Status of Application

Claims 1-15 are the claims that have been examined in the pending application. Claim 1 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Billock et al. (U.S. Patent No. 5,619,249) in view of Borden, IV et al. (U.S. Patent No. 6,857,128 B1). Claim 1 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Billock et al. (U.S. Patent No. 5,619,249) in view of Tsutsui et al. (U.S. Patent No. 5,812,929 B1). Claims 1-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Billock et al. (U.S. Patent No. 5,619,249) in view of Yeo et al. (U.S. Patent No. 6,870,573 B2).

Preliminary Matters

Applicant thanks the Examiner for considering and initialing the references filed with the Information Disclosure Statement filed on January 26, 2005.

Applicant further thanks the Examiner for acknowledging Applicant's claim to foreign priority and confirming that the certified copy of the priority document was received.

Applicant also thanks the Examiner for withdrawing the objection to the drawings and acknowledging acceptance of the drawings filed on January 22, 2002.

Claim Rejections under 35 U.S.C. § 103(a)

A. *Claim 1 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Billock et al. (U.S. Patent No. 5,619,249) in view of Borden, IV et al. (U.S. Patent No. 6,857,128 B1).*

Claim 1 recites, in part, "a preview encoder which provides a retrieving menu for the video title list to an external device connected to receive the video data, and simultaneously displays the summary video information for at least two of the plurality of the video data on a

AMENDMENT UNDER 37 C.F.R. § 1.116

U.S. Application No. 10/051,197

Q66435

screen.” The Examiner argues that Billock discloses all of the elements of claim 1, except for simultaneously displaying summary video information for at least two of the plurality of the video data on a screen. However, the Examiner alleges that Borden discloses this aspect of the present invention, citing col. 4, lines 19-29 and FIG. 5.

The cited portion of Borden discloses an electronic program guide (EPG) display wherein the broadcast program details area and the broadcast program selection area are integrated into a single area. Thus, Borden shows a few program details associated with a particular program title, when a user highlights the program title. However, combining the retrieving menu of Billock with the EPG display would not result in the present invention. The menu in Billock splits a screen in two, with one half being a video data list, while the other half displays video summary data of a single highlighted video data. The Examiner alleges that Borden would suggest the ability to highlight multiple video data at once, and display summary video information for the multiple video data on a single screen. However, given the screen formation and summary video data in Billock, highlighting multiple video data would still not result in the simultaneous display of summary video information. The information would be displayed as each video data is selected. Borden is constructed to allow a user to highlight a channel which shows broadcasts which occur at different times on that channel in order to receive program details about each of the multiple broadcast programs on the highlighted channel. Billock, on the other hand, allows a user to choose and view a program from a telecasting service at a time of the user’s choosing. Therefore, the choices are based on the program, not the channel and time at which the channel is broadcasting the program. Thus, the combination of encoder of Billock and the EPG of Borden would not result in the invention claimed in claim 1.

AMENDMENT UNDER 37 C.F.R. § 1.116

U.S. Application No. 10/051,197

Q66435

Claim 1 is patentable over the applied art.

B. *Claim 1 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Billock et al. (U.S. Patent No. 5,619,249) in view of Tsutsui et al. (U.S. Patent No. 5,812,929 B1).*

The combination of the menu in Billock and the displaying a plurality of summary video information on a screen as disclosed by Tsutsui would not result in the present invention, as alleged by the Examiner. As noted above, the menu in Billock displays a plurality of video data on one side of a screen, and displays the summary video for a highlighted video on the other half of the screen. Tsutsui, on the other hand, obtains video information which corresponds to a plurality of channels, and displays the video information together with the channel data. Billock specifically is designed to avoid the use of a plurality of channels. See col. 2, lines 2-7 of Billock. Billock discloses a system for allowing a user to preview a segment of video programming before viewing the entire video program. This teaches away from showing of a plurality of summary video, as it would be undesirable to attempt to view a plurality of preview segments simultaneously, as recited in claim 1 of the present invention. Therefore, claim 1 is patentable over the applied art as the alleged combination would not produce the claimed invention as alleged by the Examiner.

C. *Claims 1-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Billock et al. (U.S. Patent No. 5,619,249) in view of Yeo et al. (U.S. Patent No. 6,870,573 B2).*

Yeo discloses a similar system as noted above with regard to Tsutsui, namely a system for showing programming information regarding a plurality of channels. Therefore, for reasons analogous to those recited with respect to Billock in view of Tsutsui, claim 1 is patentable over the applied art as Billock teaches away from combination with Yeo, as alleged by the Examiner.

AMENDMENT UNDER 37 C.F.R. § 1.116

U.S. Application No. 10/051,197

Q66435

Claims 2-5 are patentable at least by virtue of their dependency from claim 1. Claim 6 recites similar limitations as recited in claim 1. Therefore, for reasons analogous to those recited with regard to claim 1, claim 6 is patentable over the applied art. Claims 7-10 are patentable at least by virtue of their dependency from claim 6.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Peter A. McKenna
Registration No. 38,551

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: October 4, 2006